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February 10, 2023

VIA ECF

Hon. Sarah Netburn, U.S.M.J.
United States District Court
Thurgood Marshall Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *Arthur Balder v. Susan Sarandon, et al*, Case No.: 1:22-cv-06401-JLR-SN

Hon. Judge Netburn:

We represent Defendants Susan Sarandon, Honey Shara, David Shara and Tigran Tsitoghdzyan (collectively, "Defendants") in this action. This letter is submitted pursuant to I.A. of your Honor's Individual Practices rules and in response to your Honor's order dated February 2, 2023 [ECF Dkt. No. 66].

Defendants intend to file a new motion to dismiss in response to Plaintiff Arthur Balder's ("Plaintiff") third amended complaint filed on January 23, 2023 ("TAC") [ECF Dkt. No. 62].

Given the length of Plaintiff's TAC, that Plaintiff has asserted new theories of liability, that Defendant's counsel has pre-planned travel from March 10-15th and March 22-26th, and to avoid other confirmed Court dates, Defendants propose that their response be due on March 31, 2023.

Additionally, Defendants' counsel reached out to Plaintiff today regarding the Court's instruction and indicated that Defendants are amenable to a virtual settlement conference. As of the time of filing, Plaintiff has not yet responded.

We greatly appreciate your Honor's time and consideration in this matter.

Respectfully Submitted,

ADELMAN MATZ P.C.

A handwritten signature in black ink, appearing to read "SM:", written over the typed name.

Sarah M. Matz, Esq.

Defendants' request for an extension to respond to the Amended Complaint until March 31, 2023, is DENIED in part. Defendants' response was due February 16, 2023, and an additional 43 days is not "reasonable." See ECF No. 66. Defendants may file their motion no later than March 10, 2023. Plaintiff's opposition to the motion shall be due April 10, 2023, and Defendants' reply brief is due April 24, 2023.

SO ORDERED.

A handwritten signature in black ink, appearing to read "S Netburn", written over the typed name.
SARAH NETBURN
United States Magistrate Judge

Dated: February 13, 2023
New York, New York